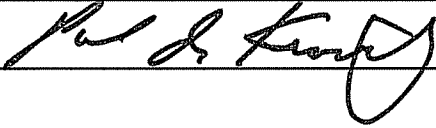


**AMENDMENT AFTER
FINAL
EXPEDITED PROCEDURE
BOX AF**

S&H Form: (10/08)

| | | | | | |
|---|---|------------------------------------|-------------------------|---------------|------------------|
| REPLY/AMENDMENT FEE TRANSMITTAL | | Attorney Docket No. | 121.1054 | | |
| | | Application Number | 10/659,744 | | |
| | | Filing Date | September 11, 2003 | | |
| | | First Named Inventor | Yoshio NABEYAMA, et al. | | |
| | | Group Art Unit | 2613 | | |
| AMOUNT ENCLOSED | 130.00 | Examiner Name | Dzung D. Tran | | |
| FEE CALCULATION (fees effective 10/02/08) | | | | | |
| CLAIMS AS AMENDED | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate | Calculations |
| TOTAL CLAIMS | 3 | - 29 = | 0 | X \$ 52.00 = | \$ 0.00 |
| INDEPENDENT CLAIMS | 3 | - 10 = | 0 | X \$ 220.00 = | 0.00 |
| Since an Official Action set an <u>original</u> due date of <u>March 26, 2009</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$130)); (2 months (\$490)); (3 months (\$1,110)); (4 months (\$1,730)); (5 months (\$2,350)): | | | | | 130.00 |
| If Notice of Appeal is enclosed, add (\$540.00) | | | | | |
| If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$140.00) | | | | | |
| Information Disclosure Statement (Rule 1.17(p)) (\$180.00) | | | | | |
| Total of above Calculations = | | | | | \$ 130.00 |
| Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28) | | | | | |
| TOTAL FEES DUE = | | | | | \$ 130.00 |
| <small>(1) If entry (1) is less than entry (2), entry (3) is "0". (2) If entry (2) is less than 20, change entry (2) to "20". (4) If entry (4) is less than entry (5), entry (6) is "0". (5) If entry (5) is less than 3, change entry (5) to "3".</small> | | | | | |
| METHOD OF PAYMENT | | | | | |
| <input type="checkbox"/> Check enclosed as payment. <input checked="" type="checkbox"/> Charge "TOTAL FEES DUE" to the Deposit Account No. below. <input type="checkbox"/> No payment is enclosed. | | | | | |
| GENERAL AUTHORIZATION | | | | | |
| <input checked="" type="checkbox"/> If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to: <div style="margin-left: 40px;"> Deposit Account No. 19-3935 Deposit Account Name STAAS & HALSEY LLP </div> | | | | | |
| <input checked="" type="checkbox"/> The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application. | | | | | |
| SUBMITTED BY: STAAS & HALSEY LLP | | | | | |
| Typed Name | Paul I. Kravetz | | | Reg. No. | 35,230 |
| Signature |  | | | Date | April 9, 2009 |

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AMENDMENT AFTER
FINAL
EXPEDITED PROCEDURE
BOX AF

Docket No.: 121.1054

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshio NABEYAMA, et al.

Serial No. 10/659,744

Group Art Unit: 2613

Confirmation No. 3463

Filed: September 11, 2003

Examiner: Dzung D. Tran

For: CHROMATIC DISPERSION COMPENSATING APPARATUS AND CONTROLLING
METHOD OF THE SAME

AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed December 26, 2008.

This Amendment is filed simply to cancel restricted claim 21. The remaining claims are allowed. Therefore, although the Office Action was made Final, entering this Amendment will clearly place the application in condition for allowance. Accordingly, it is respectfully requested that this Amendment be entered.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.